



Rodrig 3-7

IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

Declaration and Power of Attorney

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **IP MULTICAST IN VLAN ENVIRONMENT** the specification of which was filed on July 31, 2000 as U.S. Application No. 09/629,219.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to in this oath or declaration.

I acknowledge the duty to disclose all information known to me which is material to patentability as defined in Title 37, Code of Federal Regulations, 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

None

I hereby claim the benefit under Title 35, United States Code, 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

None

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following attorney(s) with full power of substitution and revocation, to prosecute said application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith:

Thomas J. Bean	(Reg. No. 44528)
Maurice de Picciotto	(Reg. No. 27978)
John C. Moran	(Reg. No. 30782)
Robert E. Rudnick	(Reg. No. 36260)
David Volejnicek	(Reg. No. 29355)

I hereby appoint the attorney(s) on ATTACHMENT A as associate attorney(s) in the aforementioned application, with full power solely to prosecute said application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected with the prosecution of said application. No other powers are granted to such associate attorney(s) and such associate attorney(s) are specifically denied any power of substitution or revocation.

Full name of 1st joint inventor: Lior SHABTAY

Inventor's  
signature

Date 5/12/2000

Residence: Ganei Tikva, Israel

Citizenship: Israel

Post Office Address: Anei Yehuda 58/20, Ganei Tikva 55900, Israel

Full name of 2nd joint inventor: Benny RODRIG

Inventor's  
signature

Date Dec. 11, 2000

Residence: Lexington, MA

Citizenship: Israel

Post Office Address: ~~6223 Lexington Ridge Drive, Lexington, MA 02421~~

4 Myrna Rd, Lexington, MA, 02420

04/00

**ATTACHMENT A**

Attorney Name(s):	Paul Fenster	Reg. No.:	33,877
	Maier Fenster		41,016
	Yaakov M. Schatz		44,320

Telephone calls should be made to Thomas J. Bean (Reg. No. 44528), at:

Phone No.: (732) 817-8164

Fax No.: (732) 817-4504

All written communications are to be addressed to:

Docket Administrator  
Avaya Inc.  
P.O. Box 629  
101 Crawfords Corner Road, Room 1L-202  
Holmdel, NJ 07733-3030

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Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

Benny Rodrig and Lior Shabtay

Additional name(s) of conveying party(ies) attached?

\_\_\_ Yes X No

## 3. Nature of conveyance:

X Assignment \_\_\_ Merger  
\_\_\_ Security Agreement \_\_\_ Change of Name  
\_\_\_ Other

Execution Date(s): 12/11/00 and 5/12/00

## 2. Name and address of receiving party(ies)

Name: Avaya Communication Israel Ltd.

Internal Address:

Street Address: Atidim Technologies Park-Bldg. 3

City: Tel Aviv State: Israel ZIP: 61131

Additional name(s) & address(es) attached? \_\_\_ Yes X No

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

09/629,219

B. Patent No.(s)

Additional numbers attached? \_\_\_ Yes X No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Joseph B. Ryan

Internal Address: Ryan, Mason &amp; Lewis, LLP

Street Address: 90 Forest Avenue

City: Locust Valley State: NY ZIP: 11560

6. Total number of applications and patents involved: 1

## 7. Total Fee (37 CFR 3.41)..... \$ 40.00

\_\_\_ Enclosed

X Authorized to be charged to deposit account

## 8. Deposit account number 50-1602

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## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Joseph B. Ryan

Reg. No. 37,922

Signature

December 10, 2002

Date

2/17/2002 AWONDAF1 00000037 501602 09629219

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## ASSIGNMENT AND AGREEMENT

For value received, we, Lior Shabtay of Ganei Tikva in the State of Israel and Benny RODRIG of Lexington in the State of Massachusetts, USA hereby sell, assign and transfer to Avaya Communication Israel Ltd., an Israel company, having an office at Atidim Technologies Park, Bldg. 3, Tel Aviv 61131, Israel and its successors, assigns and legal representatives, the entire right, title and interest, for the United States of America, in and to certain inventions related to **IP MULTICAST IN VLAN ENVIRONMENT** described in U.S. Patent Application No. 09/629,219 filed on July 31, 2000, and all the rights and privileges in said application and under any and all Letters Patent that may be granted in the United States for said inventions; and we also concurrently hereby sell, assign and transfer to Avaya Communication Israel Ltd. the entire right, title and interest in and to said inventions for all countries foreign to the United States, including all rights of priority arising from the application aforesaid, and all the rights and privileges under any and all forms of protection, including Letters Patent, that may be granted in said countries foreign to the United States for said inventions.

We authorize Avaya Communication Israel Ltd. to make application for such protection in its own name and maintain such protection in any and all countries foreign to the United States, and to invoke and claim for any application for patent or other form of protection for said inventions, without further authorization from us, any and all benefits, including the right of priority provided by any and all treaties, conventions, or agreements.

We hereby consent that a copy of this assignment shall be deemed a full legal and formal equivalent of any document which may be required in any country in proof of the right of Avaya Communication Israel Ltd. to apply for patent or other form of protection for said inventions and to claim the aforesaid benefit of the right of priority.

We request that any and all patents for said inventions be issued to Avaya Communication Israel Ltd. in the United States and in all countries foreign to the United States, or to such nominees as Avaya Communication Israel Ltd. may designate.

We agree that, when requested, we shall, without charge to Avaya Communication Israel Ltd. but at its expense, sign all papers, and do all acts which may be necessary, desirable or convenient in connection with said applications, patents, or other forms of protection.

In addition to making the above formal assignment, we confirm:

- (a) The invention was made in Israel;
- (b) Each of us was employed by Avaya in Israel at the time of the invention;
- (c) We have properly notified Avaya of the invention as required by Section 131 of the Israel Patent Law.
- (d) The invention was arrived in consequence of and during the period of employment and thus is a "service invention" as defined in Section 132(a) of the Israel Patent Law; and
- (e) The invention is the property of Avaya as a matter of law under said section 132(a).

Date: 5/12/2000

  
Uor SHABTAY

Date: Dec 11 / 2000

  
Benny RODRIG

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